

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

VALERIE JACKSON
Plaintiff,

v.

LUPE VALDEZ, et al.,
Defendants

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CIVIL ACTION NO.3:18-cv-2935

JOINT MOTION FOR EXTENSION OF TIME AND BRIEF IN SUPPORT

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW Plaintiff Valerie Jackson and Defendants Dallas County, Texas, Lupe Valdez, Marian Brown, Officer L. Samuel, Officer S. Joseph, Officer Brenda Devers, Officer L. Pugh, Officer S. Littles, and Officer P. Nixon (“Dallas County Defendants”), pursuant to FED.R.CIV.P. 6(b)(1)(A) and move the Court for an extension of time within which Dallas County Defendants may file an original answer or other pleading to Plaintiff’s Original Complaint/Amended Complaint, including but not limited to a Motion to Dismiss Under Fed.R.Civ.12(b)(6), in the above entitled and numbered suit. In support thereof, Plaintiff and Dallas County Defendants would show the Court as follows:

I.

On November 2, 2018, Plaintiff, proceeding through counsel, filed Plaintiff’s Original Complaint in this suit. (Doc. 1). Summons was issued to the above Dallas County Defendants on November 5, 2018. (Doc. 4).

II.

On December 5, 2018, Plaintiff sent Waivers of Service of Summons to the above Dallas County Defendants. (Docs. 5-13). Pursuant to the executed waivers of summons,

Dallas County Defendants' responsive deadline is currently February 4, 2019, as the 60 days' responsive deadline falls upon a Sunday.

III.

Plaintiff intends to replead by amending her Original Complaint and is doing so as a matter of course under Federal Rule of Civil Procedure 15(a)(1)(B). Dallas County Defendants also consent to the amendment of same pursuant to Federal Rule of Civil Procedure 15(a)(2).

IV.

Dallas County Defendants require additional time within which to review Plaintiff's soon to be filed Amended Complaint.

V.

Dallas County Defendants request that they be excused from filing an answer or responsive pleading to Plaintiff's Complaint (Doc. 1) prior to the filing of Plaintiff's Amended Complaint, as such would be futile. Dallas County Defendants respectfully request an extension of 21 days, after the filing of Plaintiff's Amended Complaint, within which they may file an original answer or other responsive pleading herein.

VI.

No previous motions for extension of time have been filed on behalf of Dallas County Defendants and the requested extension will not prejudice Plaintiff's interests in this suit.

VII.

In further support of this motion, Dallas County Defendants would show the Court that Plaintiff and her counsel do not oppose the relief requested in this motion.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff and Dallas County Defendants pray the Court will grant this motion and enter an order extending the deadline for Dallas County Defendants to file an original answer or other pleading for a period of 21 days after Plaintiff files her Amended Complaint, and any other relief to which they may be justly entitled under the law.

Respectfully submitted,

SCOTT H. PALMER, P.C.

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S. LITTLES, AND P. NIXON
IN THEIR INDIVIDUAL CAPACITIES